

R E M A R K S

Claims 1-6 and 9-14 filed in the previous amendment stand rejected under 35 U.S.C. §102(e) as being anticipated by Smith et al. ('840).

Claims 1-6 and 9-14 are also rejected under 35 U.S.C. §103 as being unpatentable over Goldman in view of O'Horo (newly cited).

The Examiner has however, considered claims 7-8 and 15 as containing allowable subject matter.

In response to the outstanding Office Action Applicant amended claim 1 to recite therein an automatic data fetch unit which automatically fetches data from the server to the terminal and a storage unit which stores data fetched by the automatic data fetch unit as well as the functions of the automatic data fetch unit in connection with the storage unit to realize virtual data communications during the voice communications. Smith teaches multiple line modem in a communication system, in which voice communication and data communication can be line modem. In the Smith system, temporary line disconnection means is provided in a terminal. Thus, Smith seems to disclose providing a temporary line disconnection unit in a server or terminal.

However, the present invention as now claimed differs from the Smith system in that the present invention performs voice communication and data communication by using a single line, while the Smith system uses a plurality of lines. Therefore, it is believed that claims 1 and 9 as amended are distinguishable over Smith because data communication and voice communication are performed by using a common line.

Regarding the rejection of claims 1-6 and 9-14 over Goldman in view of O'Horo, Goldman et al. disclose a system provided in a circuit switched network data transmission link between a user terminal and a host computer where the terminal is connected to the network by a single telephone line and the terminal user subscribed to a telephone company service feature such as call waiting.

Contrary to Goldman, however, the present invention as claimed provides a temporary line disconnection unit in a terminal or server, thereby allowing the function of the temporary line disconnection unit to be performed by using software.

O'Horo et al. discloses a modem for use in voice communication and a data/voice interface provided in a single modem unit. The O'Horo system differs from the

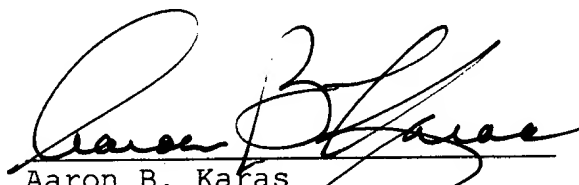
present invention in that O'Horo teaches a modem unit having two types of interface. O'Horo shows that a single modem unit having such interfaces is provided in a terminal.

It should be pointed out that neither Goldman nor O'Horo suggest that software is used to configure an interface. Claim 1 has been amended to include subject matter of claim 7 and claim 9 has been amended to include subject matter of claim 15. It is believed that claims 1-6 and 9-14 as amended are patentably distinguishable over the art cited by the Examiner.

Reconsideration and allowance is most respectfully solicited.

Any fee due with this paper, not fully covered by an enclosed check, may be charged to Deposit Account 08-1634.

Respectfully submitted,



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